

REMARKS

By the present amendment, claims 10 to 13 are pending in the application.

Support For Claims

New independent claim 10 is a combination of original independent claim 1 and original dependent claim 3.

New independent claim 11 is a combination of original independent claim 1 and original dependent claims 3 and 5.

New dependent claims 12 and 13 corresponds to original dependent claim 4.

New matter is not being presented by the present amendment.

§103

In the Office Action mailed November 19, 2003, claims 1, 2, 4 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over WO 98/35775 in view of Japan No. 4-342468.

By the present amendment, claims 1, 2, 4 and 5 have been canceled. Therefore, this rejection is now moot.

Allowable Subject Matter

The Office Action mailed November 19, 2003 advised at page 3 that claim 3 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

By the present amendment, new independent claim 10 is a combination of original dependent claim 3 and original independent claim 1.

New independent claim 11 is a combination of original dependent claim 3, original independent claim 1 and original dependent claim 5.

It is submitted that new independent claim 10, which is a combination of original dependent claim 3 and original independent claim 1 is patentable.

It is submitted that new independent claim 11 which is a combination of original dependent claim 3, original independent claim 1 and original dependent claim 5 is patentable.

Dependent claims 12 and 13, which depends from independent claims 10 and 11, are therefore also patentable.



CONCLUSION

It is submitted that in view of the present amendment and the foregoing remarks, the application is now in condition for allowance. It is therefore respectfully requested that the application, as amended, be allowed and passed for issue.

Respectfully submitted,

KENYON & KENYON

By: John J. Kelly, Jr.
John J. Kelly, Jr.
Reg. No. 29,182

KENYON & KENYON
One Broadway
New York, NY 10004
(212) 425-7200
CUSTOMER NO. 26646